

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING --June 14, 1967

Appeal No. 9248 Mt. Sinai Baptist Church, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following order was entered at the meeting of the Board on June 20, 1967.

EFFECTIVE DATE OF ORDER - Dec. 7, 1967

ORDERED:

That the appeal for a variance from the side yard requirements of the R-4 District to permit erection of church at 1615 3rd Street, NW., lots 829 and 830, square 551, be granted.

FINDINGS OF FACT:

- (1) The subject property is located in an R-4 District.
- (2) One of the lots is improved with a one story church building and adjoins a dwelling at the north lot line. The other lot is unimproved.
- (3) It is proposed to demolish the present church and erect a new church building on both lots.
- (4) The two lots have a 52.50 foot frontage on Third Street, NW. and abut a ten foot public alley at the south lot line.
- (5) The proposed church will be 40 x 100 feet with a conforming rear yard and an eight foot side yard on one side.
- (6) Section 3305.6 of the Zoning Regulations provides that "a side yard is not required in an R-3, R-4, *** Districts. However, if such yard is provided, it shall be at least three inches wide per foot of height of building, but not less than eight feet wide."
- (7) The foregoing regulation requires an 8 foot side yard, but only a 4 foot side yard is proposed.
- (8) No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations, that refusal to grant the relief requested will prevent a reasonable use of the property as zoned, and that the granting of this appeal will not adversely affect the use of nearby and adjoining property nor impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.